

REMARKS

This responds to the Office Action mailed on June 3, 2004.

Claims 18-20 have been cancelled. No claims have been added; claims 1, 2, and 4-9 remain pending in this application.

§112 Rejection of the Claims

Claims 1, 18-20 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The Examiner stated that claim 1 was indefinite due to conflicts between the claim language as originally filed and the specification. Applicant respectfully submits that there is no conflict. That is, the operating system could be installed on each of a plurality of processor elements and still be used to distribute services.

Claims 18-20 were rejected under 35 USC § 103(a) as being unpatentable over Kapustka et al. in view of Alfieri in further view of Chao et al. (6,338,092). Claims 18-20 were intended to be dependent on claim 17. Since claim 17 was withdrawn, claims 18-20 will also be withdrawn and pursued in a divisional patent application.

§102 Rejection of the Claims

Claims 1-2 were rejected under 35 USC § 102(b) as being anticipated by Kapustka et al. (“CoSine Communications Moves VPNs ‘Into the Cloud’ with the Leading Managed IP Service Delivery Platform”).

Applicant respectfully traverses the rejection. Applicant is still unable to find in the cited portions of Kapustka, among other things, configuring the processor elements from the system virtual router, as recited or incorporated into the claims. Instead, the cited portions state that Service Providers are able to integrate the management and maintenance of new services. Applicant cannot even see a suggestion to configure the processor elements from the system virtual router, as recited or incorporated into the claims. Even if the suggestion is there to configure the processor elements from the system virtual router, as recited or incorporated into the claims, which Applicant cannot see how it is enabled by the reference.

Applicant respectfully requests reconsideration and allowance of claims 1 and 2.

§103 Rejection of the Claims

Claims 4-9 were rejected under 35 USC § 103(a) as being unpatentable over Kapustka et al. in view of Alfieri (U.S. 5,745,778). As noted above, key limitations of claim 1 are missing from Kapustka. These limitations are not taught or suggested by Alfieri. Applicant respectfully requests reconsideration and allowance of claims 4-9.

As noted above, claims 18-20 were rejected under 35 USC § 103(a) as being unpatentable over Kapustka et al. in view of Alfieri in further view of Chao et al. (6,338,092). Claims 18-20 were intended to be dependent on claim 17. Since claim 17 was withdrawn, claims 18-20 will also be withdrawn and pursued in a divisional patent application.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6909 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date

October 4, 2004

By

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 4 day of October, 2004.

Gina M. Uphus

Name

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Signature